IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CWP No.18994 of 2006

Date of Decision: 1.12.2006

Mohan Lal .....Petitioner

Versus

State of Punjab and others .....Respondents

CORAM:- HON'BLE MR.JUSTICE J. S. KHEHAR
HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.RS Rangpuri, Advocate
for the petitioner.

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J.S.KHEHAR, J. (Oral)

The petitioner was transferred from village Lakhewali to village Gulabewala vide an order dated 31.5.2006. The aforesaid transfer order was cancelled by a subsequent order dated 4.7.2006. A perusal of the order dated 4.7.2006 reveals the following reasons for cancelling the earlier order of transfer:

> "Vide above referred letter, your transfer from water supply scheme Village Lakhewali to water supply scheme village Gulabewala was ordered, but approval to that yet has not been received from the Divisional Office. During this period, higher authorities transferred Shri Jasbir Singh, Pump Operator, to village Gulabewala, who has also joined duty on 4.7.06 afternoon. Therefore transfer made vide above referred order is hereby cancelled."

By another order dated 20.10.2006 (Annexure P3), the petitioner was again transferred from village Lakhewali to village Gulabewala. However, the instant order of transfer was again cancelled by an order dated 14.11.2006 (Annexure P4).

Through the instant writ petition, the petitioner has impugned the order dated 14.11.2006, vide which the order of the petitioner's transfer has been cancelled for the said reason.

Transfers are made on account of administrative exigencies and in case the transfer has been made by mistake, the same can be cancelled. There are no allegations of malafide and/or extraneous consideration levelled by the petitioner in the instant writ petition. It is, therefore, not possible for us to conclude that the cancellation of the petitioner's transfer was for a motivated purpose and/or on extraneous considerations.

It would, however, be pertinent to mention that the learned counsel for the petitioner has stated that his transfer has been cancelled on account of the fact that he is a General Secretary of the Employees' Union. This fact by itself in our view cannot vest a perpetual right in the petitioner to continue at the place of posting of his choice.

For the reasons recorded above, the instant writ petition is dismissed.

(J. S. KHEHAR)
JUDGE

(S. D. ANAND)
JUDGE

December 1, 2006
SRM